IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:14 CV 162

BONNIE LOGAN,)	
Plaintiff,)	
v)	<u>ORDER</u>
RUTHERFORD COUNTY BOARD OF)	
EDUCATION, et al.,)	
Defendants.)	

THIS MATTER is before the undersigned pursuant to Defendant's Motion to Require Plaintiff to Participate in the Initial Attorneys' Conference (#33). In the motion, Defendants request that the Court issue an order requiring Plaintiff to participate in the Initial Attorneys' Conference as required by the Local Rules. An examination of the file in this matter shows that Plaintiff filed a document on April 6, 2015 in which she chose to participate in the Western District of North Carolina Pro Se Settlement Assistance Program (#32). On April 22, 2015, attorney Glen C. Shultz filed an acceptance to act as Plaintiff's attorney for the purpose of participating in the Settlement Assistance Program. The Implementation Order (1:13mc134) provides:

In cases that are not resolved during the settlement conference, a regular IAC notice will issue and the case will move forward into discovery,

dispositive motions, and trial under the guidelines established by a Pretrial Order and Case Management Plan, or otherwise directed by the presiding judicial officer.

It would thus appear that pursuant to the Implementation Order an Initial

Attorneys' Conference and the preparation of a scheduling order is not to take place

until the Pro Se Settlement Assistance Program has been completed. For that reason,

the undersigned will deny Defendants' motion without prejudice. Should this matter

not be settled during the Pro Se Settlement Assistance Program process, then

Defendants' counsel may file a new motion requesting appropriate relief from the

Court.

ORDER

IT IS, THEREFORE, ORDERED for the reasons set forth above,

Defendant's Motion to Require Plaintiff to Participate in the Initial Attorney's

Conference (#33) is **DENIED** without prejudice.

Signed: May 4, 2015

Dennis L. Howell

United States Magistrate Judge

Down & Hause